REMARKS

Claims 1, 2 and 4-10 are pending in the application. Claims 1, 2 and 4-10 stand rejected. Claim 1 has been amended to state that water solubility of the polymer film is triggered by changes in pH, salt or surfactant concentration, or both. Support for this amendment is found at p. 1, first sentence after 'Field of the Invention'. Accordingly, no new matter is added with this amendment.

Reply to the Rejection of Claims 1, 2 and 4-10 under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 1, 2 and 4-10 as being unpatentable over U.S. Patent No. 4,708,870 to Pardini ("Pardini"). For the following reasons, Applicants respectfully traverse the Examiner's rejection of claims 1, 2 and 4-10 as being rendered obvious by Pardini.

Pardini teaches a method for imparting non-fugitive antimicrobial activity to an article of manufacturing by forming the articles of manufacture from an acrylonitrile composition that includes up to 10% of a protonated amine (Abstract). The antimicrobial activity is inherent in the acrylonitrile composition (Abstract). The maximum amount of protonate amine taught by Pardini is 3 mole %. Pardini specifically limits the amount of protonated amine to no more than 10%, or 3 mole %, in order to achieve the antimicrobial activity. Therefore, Pardini provides no motivation to one skilled in the art to seek compositions having from 5 to 40 mole percent of protonated amine monomer units.

As stated in the present Description, the environmental conditions at which the polymer will change from soluble to insoluble are dependent upon, among others, the levels of protonated amine monomers. The Description further states that if "the polymer has . . . too little protonated amine monomer, . . . the polymer will become insoluble even under lower pH conditions" (p. 6, last line – p. 7, end of 1st paragraph).

The field of endeavor of Pardini is the provision of non-fugitive antimicrobial activity in the formation of synthetic fibers for use in clothing (col. 1, lines 7-13). In contrast, the field of endeavor of the present application is controlled release polymers; that is, polymers whose water solubility can be triggered by a change in pH, the salt or surfactant concentration, or both. Claim 1 of the present invention has been amended herewith to reflect this functionality. Pardini makes

absolutely no reference to controlled release, particularly with respect to film coatings useful for coating, for example, laundry detergent tablets. Accordingly, Pardini provides absolutely no motivation to one skilled in the art to look to polymers of protonated amine monomers and hydrophobic monomers for use as triggerable films, particularly such polymers having protonated amine monomers within the claimed mole percent whereby they are able to provide the controlled release.

Finally, column 3, line 3 to column 4, line 18 of Pardini describes the process for preparing the polymer of Pardini and its subsequent conversion to yarn. The resultant polymer is described as a slurry, that is, a suspension of solids in water (col. 3, lines 38-41 and 52-62). Pardini does not teach or suggest its polymer being triggerably soluble in water based upon changes in pH, salt or surfactant concentration, or both. Rather, Pardini only suggests that its polymer is soluble in organic solvent (col. 3, lines 65-66). Accordingly, one skilled in the art would not be motivated from the teachings of Pardini to form a polymer film that is able to provide controlled release.

Applicants take note of the Examiner's remarks in his 24 August 2007 Communication that the scope of the claims were not directed to controlled release polymers. Applicants thank the Examiner for his insight, and have made a good faith attempt to amend the claims to reflect this scope of the invention, necessitating the need for the Request for Continued Examination so that the Examiner might consider the present amendments. Applicants would appreciate any further insights should the Examiner find that the present amendments do not place the claims in form for allowance.

For at least these reasons, claims 1, 2 and 4-10 are not rendered obvious by Pardini. Withdrawal, therefore, of the rejection of claims 1-10 under 35 U.S.C. § 103(a) is respectfully requested. Allowance of the claims is believed to be in order, and such allowance is respectfully requested.

Respectfully submitted,

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